

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK WHITE, #228524,

Plaintiff,

v.

CASE NO. 5:13-CV-12104
HONORABLE JOHN CORBETT O'MEARA

DANIEL HEYNS, et al.,

Defendants.

ORDER GRANTING MOTION TO SUPPLEMENT
BUT DENYING RECONSIDERATION

This matter is before the Court on Plaintiff's motion to supplement his motion for relief from judgment or for a grant of a certificate of appealability concerning the Court's denial of his application to proceed without prepayment of the filing fee, dismissal of his pro se civil rights complaint, and determination that an appeal cannot be taken in good faith. The Court denied his initial motion for relief from judgment or for a grant of certificate of appealability on June 18, 2013. Petitioner filed the instant motion on June 21, 2013. As with his original motion, Plaintiff asserts that he should be allowed to proceed without prepayment of the filing fee despite his three-strike status because he is under "imminent danger" due to the lack of better quality orthopedic shoes needed for his diabetic condition and submits additional documents.

The Court discussed this issue in its prior orders. Having reviewed the additional materials, the Court finds no reason to reconsider its decision. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Plaintiff has not met his burden of showing

a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof as required by Local Rule 7.1(h)(3). Accordingly, the Court **GRANTS** Plaintiff's motion to supplement but **DENIES** reconsideration. This case is closed.

IT IS SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: July 3, 2013

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, July 3, 2013, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager